

IFW/1614

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTY.'S DOCKET: KAMEI=2

In re Application of:	)	Confirmation No.: 4282
	)	
Kenshi KAMEI et al	)	Art Unit: 1614
	)	
I.A. Filing Date: 10/24/2003	)	Examiner: P. G. Spivack
371(c) Date: April 25, 2005	)	
	)	August 11, 2006
U.S. Appln. No.: 10/532,585	)	
	)	
For: THERAPEUTIC AND/OR	)	
PREVENTIVE AGENT FOR	)	
DEFECATION DYSFUNCTION.	)	

**INFORMATION DISCLOSURE STATEMENT [IDS]**

Customer Service Window, Mail Stop Amendment  
Honorable Commissioner for Patents  
U.S. Patent and Trademark Office  
Randolph Building  
401 Dulany Street  
Alexandria, Virginia 22314

Sir:

This Information Disclosure Statement is submitted in accordance with 37 CFR §§1.97, 1.98, and it is requested that the information set forth in this statement and in the listed documents be considered during the pendency of the above-identified application, and any other application relying on the filing date of the above-identified application or cross-referencing it as a related application.

1. This IDS should be considered, in accordance with 37 CFR §1.97, as it is filed:

☐ A. within three months of the filing date of the above-identified national application or within three months of the entry into the national stage of the above-identified international application.

☐ B. before the mailing date of a first office action on the merits or before the mailing of a first Office

action after the filing of a Request for Continued Examination under 37 CFR §1.114; or

[XX]C. after (A) and (B) above, but before final rejection or allowance, and Applicant has made the necessary certification (box "i" below) or paid the necessary fee (box "ii" below):

[XX]i. Counsel certifies that, upon information and belief, each item of information listed herein either was

[XX](a) first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS.

2. In accordance with 37 CFR §1.98, this IDS includes a list (e.g., form BN/SB/08A/B) of all patents, publications, or other information submitted for consideration by the office, either incorporated into this IDS or as an attachment hereto. Other than U.S. patent(s) and/or published U.S. application(s), which 37 CFR §1.98(a)(2)(ii) does not require to be filed unless specifically required by the Office, a copy of each document listed is attached, except as explained below:

[XX]A. Document WO 02/18403 is deemed substantially cumulative to document EP 1314737, and, in accordance with 37 CFR §1.98(c), a copy of each of the former document is not enclosed.

Applicant identifies these documents by attaching hereto copies of the forms PTO-892, PTO-1449, PTO/SB/08a and/or PTO/SB/08b (or their BN form equivalents) from the files of the prior application(s) or a fresh BN/SB/08A and/or BN/SB/08B listing these documents, and request that they be considered and made of record in accordance with 37 CFR §1.98(d). Per 37 CFR §1.98(d), copies of these documents need not be filed in this application.

3. No explanation of relevance is necessary for documents in the English language (see reply to Comments 67 and 68 in the preamble to the final rules; 1135 OG 13 at 20).

4. Other information being provided for the examiner's consideration follows:

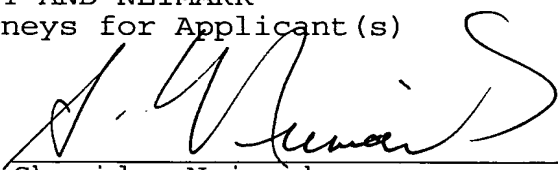
*Copy of Chinese Office Action of May 12, 2006  
issued from corresponding application.*

5. In accordance with 37 CFR §§1.97(g) and (h), the filing of this IDS should not be construed as a representation that a search has been made or that information cited is, or is considered to be, material to patentability as defined in 37 CFR §1.56(b), or that any cited document listed or attached is (or constitutes) prior art. Unless otherwise indicated, the date of publication indicated for an item is taken from the face of the item and Applicant reserves the right to prove that the date of publication is in fact different.

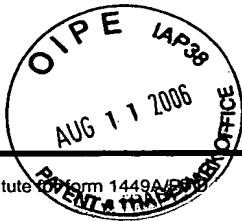
Respectfully submitted,

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Attorneys for Applicant(s)

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Substitute Form 1449A (Rev. 10/03)

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

**Complete if Known**

Application Number	10/532,585
I.A. Filing Date	October 24, 2003
Filing Date	April 25, 2005
First Named Inventor	Kenshi KAMEI et al
Group Art Unit	1614
Examiner Name	P. G. Spavick
Attorney Docket Number	KAMEI=2

Sheet 1 of 1

**U.S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number Number-Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	AE	US-6077943	06-20-2000	Omura et al	
		US-			
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**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Number Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
	AF	EP 1314737 A1	05-28-2003	CHUGAI SEIYAKU KABUSHIKI KAISHA		
	AG	WO 02/18403 A1	07-03-2002	CHUGAI SEIYAKU KABUSHIKI KAISHA		
	AH	WO 01/60833 A2	08-23-2001	KOSAN BIOSCIENCES INC.		
	AI	JP 2001-119295	04-25-2000	TAKEDA CHEM IND LTD KITASATO INST:THE		
	AJ	WO 93/13780	07-22-1993	ABBOTT LABORATORIES [US/US]; CHAD		

Examiner  
SignatureDate  
Considered

\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kind Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.